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Bernalillo County
Master Plan Criteria

Adopted [] 2006 by Resolution []

SECTION 1: PURPOSE

The Bernalillo County Master Plan Criteria serve as a primary guide for future zoning and subdivision approvals and provide a process for ensuring that large developments in Bernalillo County are comprehensively planned in order to:

- A. Ensure adequate and timely provision of infrastructure, public facilities, open space, services and employment to support the population;
- B. Provide for appropriate patterns of land and infrastructure development;
- C. Ensure that the proposed development is suitable for a given parcel of land; and
- D. Achieve the goals, objectives and policies of the *Albuquerque/Bernalillo County Comprehensive Plan* and any applicable master, area and sector plans.

SECTION 2: APPLICABILITY

A master plan is required for the following types of development in the Reserve and Rural Areas of the *Albuquerque/Bernalillo County Comprehensive Plan*:

- A. Planned communities;
- B. Development of fifty (50) acres or more requiring a zone change or special use permit; and
- C. As determined by the Zoning, Building, Planning and Environmental Health Director, any large development that is under unified ownership or control, when it is determined that there is a need for an overall, comprehensive approach to the area's planning.

SECTION 3: DEFINITIONS

Activity Center: A relatively compact area of two (2) or more different land uses generating employment, attracting trips, and serving as the focus for a variety of activities.

Applicant: Any private party or public agency that submits an application for a proposed new development for approval by the County.

Area of Influence: The geographic extent to which traffic generated by a development influences the operations of the on-site and off-site transportation system. The area of influence may apply to all modes of the transportation system, and may differ among modes.

Cluster Development: A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active recreation, or preservation of environmentally sensitive areas or agriculture.

Community Wastewater System: A wastewater system which receives a design flow of more than two thousand (2,000) gallons of wastewater per day and serves more than one (1) lot.

Community Water System: Any existing or proposed water supply system which relies upon surface and/or groundwater diversions other than wells permitted by the State Engineer under Section 72-12-1 NMSA 1978, and consists of common storage and/or distribution facilities operated for the delivery of water to multiple service connections. A community water system can also be a public water supply system.

Conservation Easement: A voluntary legal agreement in which a landowner agrees to relinquish certain development rights on his or her property, in perpetuity, for conservation purposes.

Density: A numeric average of families, individuals, dwelling units or housing structures per unit of land.

Density, Gross Overall: The average number of dwelling units per acre, based on the total of a large geographic area which includes any non-residential use areas, except it excludes land which is already in public ownership (whether fee or easement), including Indian lands.

Density, Net: The average number of dwelling units per acre, based on the geographic area of sites devoted to residential and very closely related incidental uses, not including public use areas.

Developer: Any individual, estate, trust, receiver, cooperative association, club, corporation, company, firm, partnership, joint venture, syndicate or other entity responsible for construction or development of property in the County.

Development: Any construction (new, existing, or proposed) of buildings, structures, and infrastructure, or the application of a change of zone from the “official maps,” or an application to change an existing land use, or any

proposal to subdivide or re-subdivide land within the boundaries of the County.

Easement: Any right or privilege that a person or persons may have in another's land that are documented in the records of the Office of the County Clerk.

Employment Center: An area in which job-producing activities are concentrated, resulting in a large number of employees and/or customers for which adequate levels of multimodal transportation and support services must be provided.

Fair Share Contribution: Improvements, dedications and/or dollars that a developer must contribute towards the mitigation of on and off-site impacts resulting from a proposed master plan development. Fair share contributions are different from impact fees, which are additional fees paid prior to issuance of a building permit to offset impacts resulting from development of a specific site.

Floor Area: The gross horizontal areas of the several floors including basement, cellars and penthouses (but excluding such areas within a building which are used for parking), measured from the exterior faces of the exterior walls of a building.

Improvements: Human-made, or designed, immoveable fixtures or additions which become part of, placed upon, or affixed to property; including but not limited to infrastructure such as streets, curbs, gutters, sidewalks, culverts, fire hydrants, street lights, street signs, storm drainage facilities, landscaping materials, bike paths, trails, and water, sewer and other utility systems or parts thereof.

Land Not Suitable for Subdivision: Land with one or more of the following characteristics may be found to be unsuitable for subdivision: 1) land subject to periodic flooding; 2) land unsuited for development because of topography, as defined by terrain management guidelines or laws; 3) land which is habitat for endangered plant or animal species as defined by New Mexico law; 4) land with soils subject to excessive erosion; 5) land subject to seasonally high water tables; 6) land with soils which are unsuitable for sewage absorption fields; 7) inadequate water supply for the requirements of the fully developed subdivision; 8) land which is designated a significant archaeological, historical, or cultural site or landmark; 9) land which does not meet the guidelines or regulations for development required by any public agencies involved in the review of subdivisions; 10) land which is not in conformance with the *Albuquerque/Bernalillo County Comprehensive Plan*, applicable adopted master, area, sector and corridor plans, facility plans and design overlay zones; and 11) land with inadequate access.

Level of Service: A description of the level of traffic congestion along a given roadway or at a particular intersection.

Low Impact Development: A technology-based approach to managing storm water that minimizes development impacts on hydrology and water quality by emphasizing functional site design and on-site retention, rather than large and costly drainage facilities. Low impact development principles and techniques include: 1) conservation of natural areas such as drainages, trees and vegetation through habitat conservation, stream and wetland buffers and watershed and land use planning; 2) minimization of development impacts by reducing storm pipes, curbs and gutters, preserving sensitive soils, clustering buildings and reducing building footprints, reducing road widths, minimizing grading and lot disturbances and reducing impervious surfaces; 3) maintaining site runoff rates and controlling small storms by maintaining natural flow paths, using open drainage, flattening slopes, dispersing drainage, lengthening flow paths and maximizing sheet flow; 4) using integrated management practices such as soil restoration, bio-retention, infiltration, storage and use and filtration; and 5) implementing pollution prevention, proper maintenance and public education programs.

Low Income: Families or individuals earning less than eighty percent (80%) of area median income, a measure defined and regularly updated by the US Department of Housing and Urban Development to determine eligibility for federal programs.

Master Plan: A plan or any of its parts, adopted by the Board of County Commissioners, for the physical development of the area within the planning and platting jurisdiction of the County for the general purpose of guiding and accomplishing coordinated, adjusted, and harmonious development.

Mixed Use: The development of a tract of land, building, or structure with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact form.

Moderate Income: Families or individuals earning between eighty percent (80%) and one hundred twenty five percent (125%) of area median income, a measure defined and regularly updated by the US Department of Housing and Urban Development to determine eligibility for federal programs.

Neighborhood: An area of a community with characteristics that distinguish it from other community areas and which may include distinct ethnic or economic characteristics, schools or social clubs, or boundaries defined by physical barriers such as major highways and railroads or natural features such as rivers.

Open Space: Open space includes lands and waters that have been or will be developed or maintained to retain their natural character and benefit people throughout the County by conserving resources related to the natural environment, providing opportunities for appropriate outdoor education and resource-based recreation, or defining the boundaries of the urban environment. Categories of open space include:

Major Public Open Space: An integrated system of lands and waters that have been designated as such in the *Albuquerque/Bernalillo County Comprehensive Plan*.

Private Open Space: Land and waters that are owned and have been designated, acquired, developed, used and/or maintained by a private entity. Bernalillo County's *Parks, Open Space, Trails Master Plan* identifies private open space as: privately owned undeveloped lands, usually associated with a subdivision, intended for use and enjoyment by the owner(s) for the purposes of agriculture, landscaping or recreation.

Public Open Space: Land and waters that are owned by a public agency.

Open Space Network: Includes existing and proposed Major Public Open Space, parks, trail corridors, environmentally sensitive areas and other open areas, excluding public rights-of-way, that are preferably, but not necessarily, linked visually or physically to form a network of open spaces.

Planned Communities: Communities consisting entirely or almost entirely of new development that contain a range of land uses and activities and are capable of functioning as independent, self-sufficient units in regard to provision of services, employment and public facilities.

Plat: A map, chart, survey, plan or replat certified by a licensed, registered land surveyor and containing a description of the subdivided land with ties to permanent monuments.

Public Facility: A facility which is used by or serves the public, such as open space, a school, library, community center, fire or police station, that is owned and operated by a public entity, such as a school system or local government.

Purchase of Development Rights (PDRs): A voluntary legal agreement in which a land trust, government agency, or similar entity buys the development rights from a landowner for their property, resulting in a permanent deed restriction placed on the land.

Self-sufficiency: The ability of a community to support its residential, commercial and civic needs, usually through a diversified land use scheme

which provides the opportunities required to meet the regular needs of its residents for education, employment, shopping and services.

Special Use Permit: The authorization by the Board of County Commissioners for the location of uses in any zone in which they are not permitted normally by other sections of the *Bernalillo County Zoning Ordinance*.

Streetscape: The overall design appearance of a particular street, as determined by placement and relationship of the street, sidewalks, pedestrian and bike paths, physical elements such as building facades, and other amenities such as landscaping, street furniture and streetlights.

Subdivision: The division of a surface of land, including land within a previously approved subdivision, into two (2) or more parcels for the purpose of sale, lease or other conveyance or for building development, whether immediate or future.

Terrain and Drainage Management: To protect against flooding, inadequate drainage and erosion, and to adapt the proposed development to existing soil characteristics and topography.

Terrain Management and Drainage Plan: A proposal for the control of floods, drainage and erosion, and measures required for adapting proposed development to existing soil characteristics and topography as required by the *Bernalillo County Storm Drainage Ordinance*.

Traffic Impact Study: A report analyzing and summarizing the anticipated impacts of a proposed development on the roadway system. The report will summarize the roadway conditions with and without an applicant's development, include a summary of the proposed mitigation measures that will be required to restore the system to a level equal to the scenario in which it was analyzed without the development, and list the calculation of fair share contributions.

Transfer of Development Rights: Provisions in a zoning law that allow for the purchase of the right to develop land located in a sending area and the transfer of these rights to land located in a receiving area.